

Frequently Asked Questions

Who Can File a Charge of Discrimination?

Any employee, former employee, or applicant for employment covered by the AR 690-600, Equal Employment Opportunity Discrimination Complaints, who believes that he or she has been discriminated against because of race, color, religion, sex, national origin, age, physical or mental disability, genetics, and/or reprisal in an employment matter subject to the control of the Army may file an individual complaint of discrimination. A representative designated in writing by the complainant may also file the complaint for the complainant. However, the complainant must sign the formal complaint.

How Is a Charge of Discrimination Filed?

A charge may be filed by mail or in person.

Where Do I Go to File a Charge of Discrimination?

Your local Equal Employment Opportunity (EEO) Office or any EEO Office.

What Information Must Be Provided to File a Charge?

The complaining party's name, address, and telephone number, the name, address, and telephone number of the respondent employer, employment agency, or union that is alleged to have discriminated, and number of employees (or union members) if known, a short description of the alleged violation (the event that caused the complaining party to believe that his or her rights were violated), and the date(s) of the alleged violation(s). Federal employees or applicants for employment should see the fact sheet about Federal Sector Equal Employment Opportunity Complaint Processing.

What Are the Time Limits for Filing a Charge of Discrimination?

Within 45 calendar days from the date of the matter, or the date the individual became aware of, or reasonably should have become aware of, the discriminatory event or personnel action.

What Remedies Are Available When Discrimination Is Found?

The "relief" or remedies available for employment discrimination, whether caused by intentional acts or by practices that have a discriminatory effect, may include: back pay, hiring, promotion, reinstatement, front pay, reasonable accommodation, or other actions that will make an individual "whole" (in the condition he/she would have been but for the discrimination). Remedies also may include payment of attorneys' fees, expert witness fees, and court costs.

What Is EEOC and How Does It Operate?

EEOC is an independent federal agency originally created by Congress in 1964 to enforce Title VII of the Civil Rights Act of 1964. The Commission is composed of five Commissioners and a General Counsel

appointed by the President and confirmed by the Senate. Commissioners are appointed for five-year staggered terms; the General Counsel's term is four years. The President designates a Chair and a Vice-Chair. The Chair is the chief executive officer of the Commission. The Commission has authority to establish equal employment policy and to approve litigation. The General Counsel is responsible for conducting litigation. EEOC carries out its enforcement, education and technical assistance activities through 50 field offices serving every part of the nation. The nearest EEOC field office may be contacted by calling: 1-800-669-4000 (voice) or 1-800-669-6820 (TTY). Information about EEOC and the laws it enforces also can be found at the following internet address: <http://www.eeoc.gov>.

What is Alternative Dispute Resolution (ADR)?

Agencies and complainants have realized many advantages from utilizing ADR. ADR offers the parties the opportunity for an early, informal resolution of disputes in a mutually satisfactory fashion. The Department of the Army uses mediation. Mediation is a form of Alternative Dispute Resolution (ADR) that is offered by the U.S. Equal Employment Opportunity Commission (EEOC) as an alternative to the traditional investigative and litigation processes. Mediation is an informal process in which a trained mediator assists the parties to reach a negotiated resolution of a charge of discrimination. The mediator does not decide who is right or wrong and has no authority to impose a settlement on the parties. Instead, the mediator helps the parties to jointly explore and reconcile their differences.

What is 29 Code of Federal Regulation (CFR) 1614?

The civil rights laws enforced by the EEOC, which prohibit employment discrimination on the bases of race, color, religion, national origin, sex, age and disability, as well as retaliation, apply to employment discrimination by the federal government. The federal sector procedural rule approved by the EEOC updates and improves the procedures which govern how the discrimination claims of federal employees are processed administratively.

What is a Management Directive 110 (MD 110)?

The directive provides federal agencies with Equal Employment Opportunity Commission policies, procedures, and guidance relating to the processing of employment discrimination complaints governed by the Commission's regulations in 29 C.F.R. Part 1614.

What is the Department of the Army Regulation (AR) 690-600?

This regulation prescribes policies and procedures for filing, processing, investigating, and settling equal employment opportunity (EEO) complaints. The processing of all EEO complaints filed by civilian Army employees or applicants for employment will be governed by this regulation.

What are the goals of the Equal Employment Opportunity (EEO) Program?

The goals are to provide a full and fair opportunity for all employees, regardless of race, age, sex color, national origin, disability or genetics to contribute to the extent of their abilities in pursuing a career in the federal service; and to provide for the non-discriminatory treatment of all employees in the course of carrying out their duties in the federal workplace.

Is the EEO Program only for minorities and women?

No. The program is designed to provide equal opportunity for all applicants and employees.

What efforts will be made to resolve my complaint?

The EEO Office will attempt to resolve your complaint through discussions with management, or other involved individuals or offices, if appropriate. In addition, you will be offered an opportunity to submit your complaint to mediation, in an attempt to resolve the problem at the lowest possible level. If your complaint is resolved, you and the manager involved will be asked to enter into a negotiated settlement agreement which will document what was done to resolve the complaint and who entered into the agreement.

What are my rights if Alternative Dispute Resolution (ADR) does not resolve the complaint?

You will be given a written notice of your right to file a formal complaint which spells out the time-frames and provides instructions on what must be done to file a formal EEO complaint. The EEO Office staff, (210)221-9194, is available to assist you in processing your complaint.

May I be represented during the processing of an EEO Complaint?

Yes. You may choose anyone, an attorney, friend or fellow employee, to be your representative. If you choose a fellow employee, both of you will be granted a reasonable amount of duty time to process your complaint.

Doesn't Affirmative Employment mean quotas?

No. Quotas are illegal. The purpose of the Affirmative Employment is to increase the pool of qualified applicants by using aggressive recruitment and outreach techniques to find well-qualified applicants from a wide variety of sources.

What is Affirmative Employment?

Affirmative Employment is a powerful tool used to stop and correct discrimination. The local Affirmative Employment Program describes how management intends to overcome any workforce imbalances by means of training, broader recruitment efforts, creation of upward-mobility positions, etc. Affirmative Employment is a program that seeks to ensure equal access to opportunities for all people, not only women and minorities.